

**U.S. District Court
California Northern District (Oakland)
CIVIL DOCKET FOR CASE #: 4:18-cv-06171-DMR**

Giffords Law Center to Prevent Gun Violence v. United States
Department of Justice et al
Assigned to: Magistrate Judge Donna M. Ryu
Cause: 05:552 Freedom of Information Act

Date Filed: 10/09/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**Giffords Law Center to Prevent Gun
Violence**

represented by **Benjamin Seel**
Democracy Forward Foundation
1333 H STREET, N.W.
11th Floor
Washington, DC 20005
(202) 701-1793
Email: bseel@democracyforward.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Nitin Shah
Democracy Forward Foundation
1333 H Street, NW
11th Floor
Washington, DC 20005
United Sta
202-448-9090
Email: nshah@democracyforward.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Hannah Elizabeth Shearer
Giffords Law Center to Prevent Gun
Violence
268 Bush Street #555
San Francisco, CA 94104
415-433-2062
Email: hshearer@giffords.org
ATTORNEY TO BE NOTICED

V.

Defendant

United States Department of Justice

represented by **Jevechius Doherty Bernardoni**
U.S. Attorney's Office
450 Golden Gate Ave.
San Francisco, CA 94102
415-436-7164
Fax: 415-436-7234
Email: jevechius.bernardoni@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jennifer S Wang
United States Attorney's Office
450 Golden Gate Avenue, 9th Floor
San Francisco, CA 94102-3495
415-436-6967
Fax: 415-436-6748
Email: jennifer.s.wang@usdoj.gov

TERMINATED: 09/05/2019

Defendant**Bureau of Alcohol, Tobacco, Firearms
and Explosives**represented by **Jevechius Doherty Bernardoni**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED**Jennifer S Wang**
(See above for address)
TERMINATED: 09/05/2019

Date Filed	#	Docket Text
10/09/2018	<u>1</u>	COMPLAINT for Injunctive Relief against All Defendants (Filing fee \$ 400, receipt number 0971-12745469.). Filed by Giffords Law Center to Prevent Gun Violence. (Attachments: # <u>1</u> Civil Cover Sheet)(Shearer, Hannah) (Filed on 10/9/2018) (Entered: 10/09/2018)
10/09/2018	<u>2</u>	Proposed Summons. (Shearer, Hannah) (Filed on 10/9/2018) (Entered: 10/09/2018)
10/09/2018	<u>3</u>	Civil Cover Sheet by Giffords Law Center to Prevent Gun Violence (<i>Corrected Civil Cover Sheet</i>). (Shearer, Hannah) (Filed on 10/9/2018) (Entered: 10/09/2018)
10/09/2018	4	Case assigned to Magistrate Judge Donna M. Ryu. Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at http://cand.uscourts.gov/ecf/caseopening . Standing orders can be downloaded from the court's web page at www.cand.uscourts.gov/judges . Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 10/23/2018. (jmlS, COURT STAFF) (Filed on 10/9/2018) (Entered: 10/09/2018)
10/09/2018	<u>5</u>	Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 1/9/2019. Initial Case Management Conference set for 1/16/2019 01:30 PM in Oakland, Courtroom 4, 3rd Floor. (jjbS, COURT STAFF) (Filed on 10/9/2018) (Entered: 10/10/2018)
10/10/2018	<u>6</u>	Summons Issued as to Bureau of Alcohol, Tobacco, Firearms and Explosives, United States Department of Justice, U.S. Attorney and U.S. Attorney General (jjbS, COURT STAFF) (Filed on 10/10/2018) (Entered: 10/10/2018)
10/11/2018	<u>7</u>	MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 310, receipt number 0971-12753803.) filed by Giffords Law Center to Prevent Gun Violence. (Attachments: # <u>1</u> Exhibit Certificate of Good Standing)(Shah, Nitin) (Filed on 10/11/2018) (Entered: 10/11/2018)
10/12/2018	<u>8</u>	ORDER by Magistrate Judge Donna M. Ryu granting <u>7</u> Nitin Shah's Motion for admission Pro Hac Vice. (ig, COURT STAFF) (Filed on 10/12/2018) (Entered: 10/12/2018)
10/23/2018	<u>9</u>	SUMMONS Returned Executed (FOIA) by Giffords Law Center to Prevent Gun Violence. Bureau of Alcohol, Tobacco, Firearms and Explosives served on 10/15/2018, answer due 11/14/2018; United States Department of Justice served on 10/15/2018, answer due 11/14/2018. (Attachments: # <u>1</u> Declaration)(Shah, Nitin) (Filed on 10/23/2018) (Entered: 10/23/2018)
10/23/2018	<u>10</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Giffords Law Center to Prevent Gun Violence.. (Shah, Nitin) (Filed on 10/23/2018) (Entered: 10/23/2018)

11/14/2018	<u>11</u>	<i>Federal Defendants'</i> ANSWER to <u>1</u> Complaint for <i>Injunctive Relief</i> by Bureau of Alcohol, Tobacco, Firearms and Explosives, United States Department of Justice. (Wang, Jennifer) (Filed on 11/14/2018) Modified on 11/15/2018 (jjbS, COURT STAFF). (Entered: 11/14/2018)
11/19/2018	<u>12</u>	CLERK'S NOTICE TO DEFENDANTS Re: Consent or Declination: Defendants shall file a consent or declination to proceed before a magistrate judge. Note that any party is free to withhold consent to proceed before a magistrate judge without adverse substantive consequences. The forms are available at: http://cand.uscourts.gov/civilforms . Consent/Declination due by 12/3/2018. (ig, COURT STAFF) (Filed on 11/19/2018) (Entered: 11/19/2018)
12/04/2018	<u>13</u>	SECOND CLERK'S NOTICE TO DEFENDANTS Re: Consent or Declination: Defendants shall file a consent or declination to proceed before a magistrate judge. Note that any party is free to withhold consent to proceed before a magistrate judge without adverse substantive consequences. The forms are available at: http://cand.uscourts.gov/civilforms . Consent/Declination due by 12/18/2018. (ig, COURT STAFF) (Filed on 12/4/2018) (Entered: 12/04/2018)
12/05/2018	<u>14</u>	<i>Amended</i> ANSWER to <u>1</u> Complaint by Bureau of Alcohol, Tobacco, Firearms and Explosives, United States Department of Justice. (Wang, Jennifer) (Filed on 12/5/2018) Modified on 12/6/2018 (jjbS, COURT STAFF). (Entered: 12/05/2018)
12/18/2018	<u>15</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Bureau of Alcohol, Tobacco, Firearms and Explosives, United States Department of Justice.. (Wang, Jennifer) (Filed on 12/18/2018) (Entered: 12/18/2018)
01/02/2019	<u>16</u>	Unopposed ADMINISTRATIVE MOTION <i>to Stay and Continue Case Management Conference</i> filed by Bureau of Alcohol, Tobacco, Firearms and Explosives, United States Department of Justice. Responses due by 1/7/2019. (Attachments: # <u>1</u> Declaration of Jennifer S. Wang, # <u>2</u> Proposed Order)(Wang, Jennifer) (Filed on 1/2/2019) Modified on 1/3/2019 (jjbS, COURT STAFF). (Entered: 01/02/2019)
01/03/2019	<u>17</u>	PLEASE DISREGARD DOCKET ENTRY <u>17</u> DUE TO A TYPOGRAPHICAL ERROR AS TO THE YEAR WHEN THE ATTACHED ORDER IS SIGNED. SEE DOCKET ENTRY <u>18</u> INSTEAD. ORDER by Magistrate Judge Donna M. Ryu granting <u>16</u> Defendants' unopposed Administrative Motion: this case is STAYED and shall be CONTINUED until a date after the shutdown of the federal government has ended and relevant appropriations to the Department of Justice have been restored. The Defendants shall file a request to lift the stay within 2 days of the cessation of the federal government shutdown. Parties shall file a stipulation of the earliest post-shutdown date when all counsel are available to attend a case management conference. (ig, COURT STAFF) (Filed on 1/3/2019) Modified on 1/3/2019 (ig, COURT STAFF). (Entered: 01/03/2019)
01/03/2019	<u>18</u>	ORDER by Magistrate Judge Donna M. Ryu granting <u>16</u> Defendants' unopposed Administrative Motion: this case is STAYED and shall be CONTINUED until a date after the shutdown of the federal government has ended and relevant appropriations to the Department of Justice have been restored. The Defendants shall file a request to lift the stay within 2 days of the cessation of the federal government shutdown. Parties shall file a stipulation of the earliest post-shutdown date when all counsel are available to attend a case management conference. Signed by Magistrate Judge Donna M. Ryu on 1/3/19. (ig, COURT STAFF) (Filed on 1/3/2019) (Entered: 01/03/2019)
01/31/2019	<u>19</u>	Request to Lift Stay re <u>18</u> Order, by Bureau of Alcohol, Tobacco, Firearms and Explosives, United States Department of Justice. (Wang, Jennifer) (Filed on 1/31/2019) Modified on 2/1/2019 (jjbS, COURT STAFF). (Entered: 01/31/2019)
02/01/2019	20	ORDER re <u>19</u> Request to Lift Stay: The stay in this case is lifted. By February 8, 2019, the parties shall file a stipulation with a new proposed case management conference date. Signed by Magistrate Judge Donna M. Ryu on 2/1/2019. (This is a text-only entry generated by the court. There is no document associated with this entry.) (dmrlc3, COURT STAFF) (Filed on 2/1/2019) (Entered: 02/01/2019)

02/05/2019	<u>21</u>	STIPULATION WITH PROPOSED ORDER <i>regarding Scheduling; Proposed Order</i> filed by Bureau of Alcohol, Tobacco, Firearms and Explosives, United States Department of Justice, and Giffords Law Center to Prevent Gun Violence. (Wang, Jennifer) (Filed on 2/5/2019) Modified on 2/6/2019 (jjbS, COURT STAFF). Modified on 2/6/2019 (jjbS, COURT STAFF). (Entered: 02/05/2019)
02/06/2019	<u>22</u>	ORDER by Magistrate Judge Donna M. Ryu granting <u>21</u> Stipulation: Joint Case Management Statement due by 4/10/2019. Initial Case Management Conference set for 4/17/2019 01:30 PM. (ig, COURT STAFF) (Filed on 2/6/2019) (Entered: 02/06/2019)
02/13/2019	<u>23</u>	First MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 310, receipt number 0971-13089593.) filed by Giffords Law Center to Prevent Gun Violence. (Attachments: # <u>1</u> Exhibit DC Bar Cert. of Good Standing)(Seel, Benjamin) (Filed on 2/13/2019) (Entered: 02/13/2019)
02/14/2019	<u>24</u>	ORDER by Magistrate Judge Donna M. Ryu granting <u>23</u> Benjamin Seel's Motion for admission Pro Hac Vice. (ig, COURT STAFF) (Filed on 2/14/2019) (Entered: 02/14/2019)
03/06/2019	<u>25</u>	MOTION to Appear by Telephone filed by Giffords Law Center to Prevent Gun Violence. (Seel, Benjamin) (Filed on 3/6/2019) (Entered: 03/06/2019)
03/07/2019	<u>26</u>	ORDER by Magistrate Judge Donna M. Ryu granting <u>25</u> Plaintiff's request to Appear by Telephone on 4/17/2019 01:30 PM Initial Case Management Conference. (ig, COURT STAFF) (Filed on 3/7/2019) (Entered: 03/08/2019)
04/09/2019	<u>27</u>	Certificate of Interested Entities by Giffords Law Center to Prevent Gun Violence (Seel, Benjamin) (Filed on 4/9/2019) (Entered: 04/09/2019)
04/10/2019	<u>28</u>	JOINT CASE MANAGEMENT STATEMENT filed by Bureau of Alcohol, Tobacco, Firearms and Explosives, United States Department of Justice and Giffords Law Center to Prevent Gun Violence. (Wang, Jennifer) (Filed on 4/10/2019) Modified on 4/11/2019 (ajsS, COURT STAFF). (Entered: 04/10/2019)
04/17/2019	<u>29</u>	🔗 PDF with attached Audio File. Court Date & Time [4/17/2019 1:45:17 PM]. File Size [3456 KB]. Run Time [00:07:12]. (courtspeak). (Entered: 04/17/2019)
04/17/2019	<u>30</u>	Minute Entry for proceedings held before Magistrate Judge Donna M. Ryu: Initial Case Management Conference held on 4/17/2019. Updated Joint Case Management Statement due by 6/26/2019. Further Case Management Conference set for 7/3/2019 01:30 PM. FTR Time: 1:45-1:52. Attachment: Civil Conference Minute Order. (ig, COURT STAFF) (Date Filed: 4/17/2019) (Entered: 04/18/2019)
06/26/2019	<u>31</u>	JOINT STATUS REPORT AND STIPULATION to Continue Case Management Conference; [Proposed] Order by Bureau of Alcohol, Tobacco, Firearms and Explosives, United States Department of Justice and Giffords Law Center to Prevent Gun Violence. (Wang, Jennifer) (Filed on 6/26/2019) Modified on 6/27/2019 (ajsS, COURT STAFF). (Entered: 06/26/2019)
06/26/2019	<u>32</u>	ORDER GRANTING STIPULATION TO CONTINUE re <u>31</u> : Updated Joint Case Management Statement due by 7/24/2019. Further Case Management Conference continued to 7/31/2019 01:30 PM before Magistrate Judge Donna M. Ryu. Signed by Magistrate Judge Donna M. Ryu on 6/26/19. (ig, COURT STAFF) (Filed on 6/26/2019) (Entered: 06/26/2019)
07/09/2019	<u>33</u>	MOTION to Appear by Telephone filed by Giffords Law Center to Prevent Gun Violence. (Shah, Nitin) (Filed on 7/9/2019) (Entered: 07/09/2019)
07/09/2019	<u>34</u>	PLAINTIFF GIFFORDS LAW CENTER TO PREVENT GUN VIOLENCES REQUEST TO APPEAR BY TELEPHONE AT CASE MANAGEMENT CONFERENCE AND ORDER by Magistrate Judge Donna M. Ryu granting <u>33</u> Motion to Appear by Telephone. (kcS, COURT STAFF) (Filed on 7/9/2019) (Entered: 07/09/2019)
07/24/2019	<u>35</u>	JOINT CASE MANAGEMENT STATEMENT filed by Bureau of Alcohol, Tobacco, Firearms and Explosives, United States Department of Justice and Giffords Law Center to Prevent Gun Violence. (Wang, Jennifer) (Filed on 7/24/2019) Modified on

		7/25/2019 (ajsS, COURT STAFF). (Entered: 07/24/2019)
07/31/2019	<u>36</u>	PDF with attached Audio File. Court Date & Time [7/31/2019 3:16:59 PM]. File Size [6232 KB]. Run Time [00:12:59]. (courtspeak). (Entered: 07/31/2019)
07/31/2019	<u>37</u>	Minute Entry for proceedings held before Magistrate Judge Donna M. Ryu: Further Case Management Conference held on 7/31/2019. Parties to file a joint status report by 9/13/2019 that contains concrete deadlines. Updated Joint Case Management Statement due by 11/27/2019. Further Case Management Conference set for 12/4/2019 01:30 PM. See minute order for more particulars. FTR Time: 3:16–3:29. Attachment: Civil Conferece Minute Order. (ig, COURT STAFF) (Date Filed: 7/31/2019) (Entered: 08/02/2019)
09/05/2019	<u>38</u>	NOTICE of Substitution of Counsel by Jevechius Doherty Bernardoni (Bernardoni, Jevechius) (Filed on 9/5/2019) (Entered: 09/05/2019)
09/13/2019	<u>39</u>	JOINT STATUS REPORT by Bureau of Alcohol, Tobacco, Firearms and Explosives, United States Department of Justice and Giffords Law Center to Prevent Gun Violence. (Bernardoni, Jevechius) (Filed on 9/13/2019) Modified on 9/16/2019 (jmlS, COURT STAFF). (Entered: 09/13/2019)
11/25/2019	<u>40</u>	STIPULATION WITH PROPOSED ORDER re <u>37</u> Terminate Hearings,, Case Management Conference – Further,, Set Deadlines/Hearings, filed by Bureau of Alcohol, Tobacco, Firearms and Explosives, United States Department of Justice. (Bernardoni, Jevechius) (Filed on 11/25/2019) (Entered: 11/25/2019)